UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/781,925	02/12/2001	Karen Capers	01 P 7466 US	1795

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EXAMINER
CASIANO, ANGEL L

ART UNIT	PAPER NUMBER
2182	

DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	09/781,925	CAPERS ET AL.
	Examiner	Art Unit
	Angel L. Casiano	2182

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12 February 2001*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is

closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-21* is/are pending in the application.

  4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-21* is/are rejected.

7)☒ Claim(s) *6* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *12 February 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

  Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

  Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

  a)☐ All   b)☐ Some * c)☐ None of:

  1.☐ Certified copies of the priority documents have been received.

  2.☐ Certified copies of the priority documents have been received in Application No. _____.

  3.☐ Copies of the certified copies of the priority documents have been received in this National Stage

    application from the International Bureau (PCT Rule 17.2(a)).

  * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
  Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
  Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   The present Office action is in response to application filed 12 February 2001.

2.   Claims 1-21 are pending. All claims have been examined.

Specification

3.   The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Objections

4.   Claim 6 is objected to because of the following informalities:

-      Claim 6 reads: "The method of claim 1, determining configuration parameters comprising locating..." Sentence is unclear. It should read, "wherein the step of determining..." instead. Appropriate correction is required.

Claim Rejections - 35 USC § 112

5.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

6.   Claims 3, 10, and 15-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 3 and 10 read "registering each of the network elements when the network element is provisioned successfully". However, claims 2 and 9, from which the cited claims depend,

disclose, "provisioning *each* of the network elements". Examiner understands, based on claims 2 and 9 that *all* of the network elements are provisioned.

7.   Claim 15 recites the limitation "…based on the result set". However, the claim does not mention a "result set" to support this reference. There is insufficient antecedent basis for this limitation in the claim. Claims 16-20 depend on claim 15 and therefore are rejected under the same basis.

Claim Rejections - 35 USC § 102

8.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9.   Claims 1-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Kim et al. [US 2002/0069272 A1].

Regarding claim 1, Kim et al. teaches a method for providing a communication server (see Title, Abstract). The cited art also teaches the step of receiving a selection of at least one service option (see "request"; Page 2, col. 2, [0026], [0028]). Kim et al. also teaches receiving capacity information (see "space"; Page 3, col. 2, [0033] and [0034]) for at least one type of subscriber

(see "client"). The reference applies a specified set of rules to produce a result set based on the service option selection and the capacity information; and determining *configuration parameters* for one or more network elements based on the result set (see Page 3, [0030] and [0034]).

As per claim 2, Kim et al. teaches provisioning information based on the result set; and provisioning each of the network elements based on the provisioning information (see "client command", Page 2, [0026]; "resources available to a particular user", Page 3, [0030]).

As for claim 3, Kim et al. teaches registering the network elements (see "content of the database", "servers", Page 3, col. 1, [0031]).

As per claim 4, Kim et al. teaches storing provisioning information (see "set of parameters that control", Page 3, col. 1, [0030]).

As for claim 5, Kim et al. teaches storing results (see Page 3, col. 2, [0033]; Figures 4 and 6).

As per claim 6, Kim et al. explicitly teaches network elements located in a remote location (see Page 2, [0026], [0027]). These network elements would also be downloaded from the remote location (see Page 3, col. 2, [0034]).

As per claim 7, Kim et al. explicitly teaches receiving *authentication information* from an operator (see "user", Page 3, col. 1, [0032]); determining whether the operator is authenticated based on the authentication information (see Figure 2); presenting *management options* when the

operator is authenticated (see "interactive screen display", Figure 3); the management options

comprising network element provisioning (see Page 3, col. 2, [0033], [0034]); and receiving a

selection of network element provisioning.

Regarding claim 8, Kim et al. teaches a system for providing a communication server (see Title,

Abstract) as well as a computer-processable medium (see Figure 1). The cited art also teaches

the logic for implementing the steps of receiving a selection of at least one service option (see

"request"; Page 2, col. 2, [0026], [0028]). Kim et al. also teaches receiving capacity information

(see "space"; Page 3, col. 2, [0033] and [0034]) for at least one type of subscriber (see "client").

The reference applies a specified set of rules to produce a result set based on the service option

selection and the capacity information; and determining *configuration parameters* for one or

more network elements based on the result set (see Page 3, [0030] and [0034]).

As per claim 9, Kim et al. teaches the logic for provisioning information based on the result set;

and provisioning each of the network elements based on the provisioning information (see

"client command", Page 2, [0026]; "resources available to a particular user", Page 3, [0030]).

As for claim 10, Kim et al. teaches the logic for registering the network elements (see "content of

the database", "servers", Page 3, col. 1, [0031]).

As per claim 11, Kim et al. teaches logic for storing provisioning information (see "set of

parameters that control", Page 3, col. 1, [0030]).

As per claim 12, Kim et al. teaches logic for storing results (see Page 3, col. 2, [0033]; Figures 4 and 6).

As per claim 13, Kim et al. discloses logic for determining configuration parameters. The reference explicitly teaches network elements located in a remote location (see Page 2, [0026], [0027]). These network elements would also be downloaded from the remote location (see Page 3, col. 2, [0034]).

As for claim 14, Kim et al. explicitly teaches the logic for the steps of receiving *authentication information* from an operator (see "user", Page 3, col. 1, [0032]); determining whether the operator is authenticated based on the authentication information (see Figure 2); presenting *management options* when the operator is authenticated (see "interactive screen display", Figure 3); the management options comprising network element provisioning (see Page 3, col. 2, [0033], [0034]); and receiving a *selection* of network element provisioning.

Regarding claim 15, Kim et al. teaches a method for providing a communication server (see Title, Abstract). Therefore, the cited art also teaches the service engine for providing this server in order to determine configuration parameters for network elements based on a result set (see previous rejections). The present claim is therefore rejected under the same basis.

As for claims 16-20, Kim et al. teaches a method for providing a communication server (see Title, Abstract). Accordingly, the cited reference also teaches the service engine for providing

this server in order to determine configuration parameters for network elements based on a result set (see previous rejections). The present claims are therefore rejected under the same basis.

Regarding claim 21, Kim et al. explicitly teaches receiving *authentication information* from an operator (see "user", Page 3, col. 1, [0032]); determining whether the operator is authenticated based on the authentication information (see Figure 2); presenting *management options* when the operator is authenticated (see "interactive screen display", Figure 3); the management options comprising network element provisioning (see Page 3, col. 2, [0033], [0034]); and receiving a *selection* of network element provisioning. Kim et al. teaches a method for providing a communication server (see Title, Abstract). The cited art also teaches the step of receiving a selection of at least one service option (see "request"; Page 2, col. 2, [0026], [0028]). Kim et al. also teaches receiving capacity information (see "space"; Page 3, col. 2, [0033] and [0034]) for at least one type of subscriber (see "client"). The reference applies a specified set of rules to produce a result set based on the service option selection and the capacity information; and determining *configuration parameters* for one or more network elements based on the result set (see Page 3, [0030] and [0034]). Kim et al. explicitly teaches network elements located in a remote location (see Page 2, [0026], [0027]). These network elements would also be downloaded from the remote location (see Page 3, col. 2, [0034]). Kim et al. teaches provisioning information based on the result set; and provisioning each of the network elements based on the provisioning information (see "client command", Page 2, [0026]; "resources available to a particular user", Page 3, [0030]). Kim et al. teaches registering the network

elements (see "content of the database", "servers", Page 3, col. 1, [0031]). Kim et al. teaches

storing provisioning information (see "set of parameters that control", Page 3, col. 1, [0030]).

Conclusion

10.   The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure:

- Matsuda et al. [US 2002/0133573 A1] teaches method and apparatus for automatic
  network configuration.

- Christopherson et al. [US 2002/0095595 A1] teaches configuring a client computer
  connected to a network.

- Anand et al. [US 2002/0078188 A1] discloses method, apparatus, and program for server
  based network computer load balancing across multiple boot servers.

- Kurowski et al. [US 2002/0019844 A1] teaches method and system for network-
  distributed computing.

- Bonnaure et al. [US 5,862,339] teaches a database central routing device.

- McChesney et al. [US 5,857,102] discloses system and method for determining and
  manipulating configuration information of servers in a distributed object environment.

- Chen et al. [US 5,819,030] discloses system and method for configuring a server.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Angel L. Casiano whose telephone number is 703-305-8301. The

examiner can normally be reached on 9:30-6:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Gaffin can be reached on 703-308-3301. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

alc
04 June 2004.

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